



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Tatsuya SAKAMOTO et al

Serial No.: 09/449,907

Filed: December 2, 1999

Group Art Unit: 6868

Examiner: D. Nguyen

Atty. Docket No.: 107176-09004

For: POLISHING CLOTH FOR CHEMICAL MECHANICAL POLISHING,

AND CHEMICAL MECHANICAL POLISHING APPARATUS USING

SAID CLOTH

PETITION TO WITHDRAW THE HOLDING OF ABANDONMENT

Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

October 11, 2006

Sir:

Applicants hereby petition that the holding of abandonment of the above-identified application be withdrawn. It is submitted that the abandonment of the above-identified application resulted from the Patent and Trademark Office's failure to mail the Notice of Allowance to the correct address. Since the failure to pay the Issue Fee resulted from a Patent and Trademark Office error, it is respectfully submitted that the withdrawal of the holding of abandonment is proper.

The abandonment of the above-identified application on May 16, 2002, resulted from Applicant's failure to pay the Issue Fee. Applicant did not pay the Issue Fee because Applicant never received the Notice of Allowance. Applicant's attorneys have made a careful search of the entire file jacket for the subject application and a Notice of Allowance was not present. A review of the docket records also indicate that the Notice of Allowance was never received.

Applicant's attorneys relocated to a new address in Washington, D.C. on March 6, 2000. The U.S. Postal Service was instructed to forward all mail to the new address.

In addition, the undersigned submitted by e-mail on or about May 22, 2001, a spreadsheet listing applications for which the undersigned's address was to be changed. Exhibit A is e-mail correspondence between Margaret Drosos, the patent administrator of Applicants' firm, and Stacy Fuller of the Patent and Trademark Office. Also included is a copy of page 16 of the spreadsheet which lists the above-identified application. Upon submission of the change of address, the Patent and Trademark Office should have changed the mailing address for the above-identified application.

On October 24, 2002, having not received any correspondence from the Patent and Trademark Office, the undersigned filed a Request for Status and Notification of Change of Name and Address. Copies of these documents are attached as Exhibit B along with a copy of the stamped postcard receipt.

On July 19, 2005, the undersigned filed a further Status Inquiry. Copies of this document and the stamped postcard receipt are attached as Exhibit C.

Finally, on February 21, 2006, the undersigned filed a Change of Correspondence Address via facsimile. A copy of the Change of Correspondence Address along with a copy of the facsimile transmission sheet and acknowledgement from the Patent and Trademark Office are enclosed as Exhibit D.

Based upon the facts set forth above, the undersigned attempted several times to advise the Patent and Trademark Office of its change of address. It appears, however, that this change of address was not entered in the above-identified application and the Notice of Allowance was mailed to the undersigned's old address and was never received by the undersigned. Since the undersigned did not receive the Notice of Allowance, the Issue Fee was not paid. Thus it is submitted that the failure to pay the Issue Fee resulted from the failure of the Patent and Trademark Office to change the undersigned's address and that the abandonment of the application was a consequence of the Patent and Trademark Office's failure to change the address. It is therefore submitted that withdrawal of the holding of abandonment of the above-identified application is proper and this petition should be granted.

In the event that any fees are due with respect to this paper, please charge our Deposit Account No. 01-2300, referencing Atty. Docket No. 107176-09004.

Respectfully submitted,

Charles M. Marmelstein Attorney for Applicant Reg. No. 25,895

Customer No.: 004372
Arent Fox PLLC
1050 Connecticut Avenue, N.W.
Suite 400

Washington, D. C. 20036-5339 Tel (202) 857-6000 Fax (202) 638-4810

CMM:mmg

Encls:

Exhibit A E-mail communication along with page 16 of Spreadsheet of May 22, 2001
 Exhibit B Request for Status and Notification of Change of Name and Address w/stamped postcard receipt of October 24, 2002
 Exhibit C Status Inquiry w/stamped postcard receipt of July 19, 2005
 Exhibit D Change of Correspondence Address w/facsimile transmission cover sheet and Patent and Trademark Office Facsimile Transmission Acknowledgement of February 21, 2006

Drosos, Margaret

From:

Drosos, Margaret

Sent: To: Tuesday, May 29, 2001 2:45 PM 'Stacy.Fuller@USPTO.GOV'

Subject:

RE: Error Report for Customer Number 04372

OCT 1 1 2006

OK Sorry for the error.

----Original Message----

From: Stacy.Fuller@USPTO.GOV [mailto:Stacy.Fuller@USPTO.GOV]

Sent: Tuesday, May 29, 2001 2:18 PM

To: DrososM@ARENTFOX.COM

Subject: RE: Error Report for Customer Number 04372

Thank you for your response. Unfortunately we asked that you email me the list of applications/patents that you DO NOT wish to be associated with your customer number and that you not delete any applications from the spreadsheet. I have to go to your original spreadsheet and remove the applications that you do not wish to be associated. Please resend the error report with these applications clearly noted.

Thank you for your assistance.

> ----Original Message----

Stacy

> From: DrososM@ARENTFOX.COM [SMTP:DrososM@ARENTFOX.COM] > Sent: Tuesday, May 29, 2001 2:15 PM > To: Stacy.Fuller@USPTO.GOV > Subject: RE: Error Report for Customer Number 04372 > I have edited your error report so as to only included those applications > for Nikaido, Marmelstein, Murray & Oram. This firm at Metropolitan Square > merged with Arent Fox at the $10\overline{50}$ Connecticut Ave. address last year. > Thank > you for your attention to this. We have had several PTO papers returned > to > the PTO by Post Office, even though we have a current change of address on > file. > Margaret P. Drosos > Director of IP Administration > Arent Fox Kintner Plotkin & Kahn, PLLC > 202 857-6463 > Drososm@arentfox.com > ----Original Message----> From: Stacy.Fuller@USPTO.GOV [mailto:Stacy.Fuller@USPTO.GOV] > Sent: Tuesday, May 22, 2001 1:10 PM > To: DrososM@ARENTFOX.COM > Subject: Error Report for Customer Number 04372 > > I have received your spreadsheet to associate your applications/patents > with > your customer number, and there are just a few more questions. > a > few files that are currently going to a different address for > correspondence > and we just have to do a little preventative maintenance to be absolutely

```
> sure that you do, in fact, want to update these files to your customer
> number.
> ''questionable applications. Once you have verified whether or not you
> wish
> to associate these applications/patents with your customer number, please
> mark them as such on the attached spreadsheet (i.e., yes/no) and email it
> back to me, or simply email me the list of applications/patents that you
> DO
> NOT wish to be associated with your customer number. Please DO NOT delete
> any applications from the spreadsheet.
> ''
> If there are NO changes to be made, you can just email me back to let me
> know that it is ok to associated all files with your customer number.
> <<04372Cusno_Error(1,.xls>>
> << File: Error Report.xls >>
```

Drosos, Margaret

Stacy.Fuller@USPTO.GOV

Sent: Tuesday, May 22, 2001 1:10 PM To: DrososM@ARENTFOX.COM

Subject: Error Report for Customer Number 04372



From:

04372Cusno_Error(1).xls

I have received your spreadsheet to associate your applications/patents with your customer number, and there are just a few more questions. There are a few files that are currently going to a different address for correspondence and we just have to do a little preventative maintenance to be absolutely sure that you do, in fact, want to update these files to your customer number.

OCT 11

CHADE

Please take a look at the attached spreadsheet, which lists the "questionable" applications. Once you have verified whether or not you wish to associate these applications/patents with your customer number, please mark them as such on the attached spreadsheet (i.e., yes/no) and email it back to me, or simply email me the list of applications/patents that you DO NOT wish to be associated with your customer number. Please DO NOT delete any applications from the spreadsheet.

If there are NO changes to be made, you can just email me back to let me know that it is ok to associated all files with your customer number.

<<04372Cusno_Error(1).xls>>

09394889 09433077 08881130	09240006 09081862	60035265	09499747	09774601	09726564	09490114	08200554	08149826	09050025	09321764	09462097	09514594	09490113	09481445	09440135	09492009	09438506	09449907	09522626	09203403	09209775	08817101	08811955	29104364	09417481	29106216	09433956	09427588	09427013	09426759	09426200	09419069
METROPOLITAN SQUARE METROPOLITAN SQUARE	GEORGE E ORAM	DOUGLAS H GOLDHUSH	NIKAIDO, MARMELSTEIN, MURRAY & ORAM LLP	NIKAIDO, MARMELSTEIN, MURRAY & ORAM	NIKAIDO, MARMELSTEIN, MURRAY & ORAM	NIKAIDO MARSMELSTEIN MURRAY & ORAM	NIKAIDO MARMELSTEIN MURRY & ORAM LLP	NIKAIDO MARMELSTEIN MURRAY7 ORAM	Nikaido Marmelstein Murray and Oram LLP	NIKAIDO MARMELSTEIN MURRAY AND ORAM LLP	NIKAIDO MARMELSTEIN MURRAY AND ORAM LLP	NIKAIDO MARMELSTEIN MURRAY AND ORAM LLP	NIKAIDO MARMELSTEIN MURRAY AND ORAM	NIKAIDO MARMELSTEIN MURRAY AND ORAM	NIKAIDO MARMELSTEIN MURRAY AND ORAM	NIKAIDO MARMELSTEIN MURRAY AND ORAM	NIKAIDO MARMELSTEIN MURRAY & ORAN LLP	NIKAIDO MARMELSTEIN MURRAY & ORAM LLP	NIKAIDO MARMELSTEIN MURRAY & ORAM LLP	NIKAIDO MARMELSTEIN MURRAY & ORAM LLP	NIKAIDO MARMELSTEIN MURRAY & ORAM LLP	NIKAIDO MARMELSTEIN MURRAY & ORAM LLP	NIKAIDO MARMELSTEIN MURRAY & ORAM LLP	NIKAIDO MARMELSTEIN MURRAY & ORAM LLP	NIKAIDO MARMELSTEIN MURRAY & ORAM LLP							
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Tatsuya SAKAMOTO et al

Serial No.: 09/449,907

Filed: December 2, 1999

Group Art Unit: 3723

Examiner: D. Nguyen

Atty. Docket No.: 107176-09004

For: POLISHING CLOTH FOR CHEMICAL MECHANICAL

POLISHING, AND CHEMICAL MECHANICAL POLISHING

APPARATUS USING SAID CLOTH

REQUEST FOR STATUS

Commissioner for Patents Washington, D. C. 20231

October 24, 2002

Sir:

On December 21, 2001, a Request for Continued Examination (RCE) for the aboveidentified application was filed in the U. S. Patent and Trademark Office. To date, no Office Action has been received.

In view of the above, it is respectfully requested that the undersigned be provided with the current status of the subject application as soon as possible.

In the event that any fees are due with respect to this paper, please charge our Deposit Account No. 01-2300.

Respectfully submitted,

ARENT FOX KINTNER PLOTKIN & KAHN, PLLC

Charles M. Marmelstein Attorney for Applicants Reg. No. 25,895

1050 Connecticut Avenue, N.W. Suite 400 Washington, D. C. 20036-5339 Tel (202) 857-6000 Fax (202) 638-4810

CMM:mmg

Enclosure: Notification of Change of Name and Address

B



In re application of:

Tatsuya SAKAMOTO et al

Serial No.: 09/449,97

Filed: December 2, 1999

Group Art Unit: 3723

Examiner: D. Nguyen

Atty. Docket No.: 107176-09004

For: POLISHING CLOTH FOR CHEMICAL MECHANICAL

POLISHING, AND CHEMICAL MECHANICAL POLISHING

APPARATUS USING SAID CLOTH

NOTIFICATION OF CHANGE OF NAME AND ADDRESS

Commissioner for Patents Washington, D. C. 20231

October 24, 2002

Sir:

It is respectfully requested that the correspondence address for the above-identified application be changed to the following:

ARENT FOX KINTNER PLOTKIN & KAHN, PLLC 1050 Connecticut Avenue, N.W. Suite 400 Washington, D. C. 20036-5339 Tel: (202) 857-6000

Fax: (202) 638-4810

In the event that any fees are due with respect to this paper, please charge our Deposit Account No. 01-2300.

Respectfully submitted,

ARENT FOX KINTNER PLOTKIN & KAHN, PLLC SIGNATURE ON ORIGINAL

Charles M. Marmelstein Attorney for Applicants Reg. No. 25,895

1050 Connecticut Avenue, N.W. Suite 400 Washington, D. C. 20036-5339 Tel: (202) 857-6000

Tel: (202) 857-6000 Fax: (202) 638-4810

CMM:mmg



Patent 🛛	Trademark	Docket No.	107176-09	004	
Serial No.	09/449,907		Filed	December 2, 199)9
Applicant(s)	Tatsuya SAKAN	MOTO et al			
Papers filed	herewith on Octo	ber 24, 2002			510
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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

SAKAMOTO et al.

Art Unit: 3723

Application No.: 09/449,907

Examiner: D. Nguyen

Filed: December 2, 1999

Attorney Dkt. No.: 107176-09004

For:

POLISHING CLOTH FOR CHEMICAL MECHANICAL POLISHING, AND CHEMICAL

MECHANICAL POLISHING APPARATUS USING SAID CLOTH

STATUS INQUIRY

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

July 19, 2005

Sir:

The undersigned attorney respectfully requests the status of the above-identified application.

A Request for Continued Examination (RCE) was filed on December 21, 2001 and a Request for Status was filed on October 24, 2002 and to date no Office Action has been received.

In the event any fees are required with this paper, please charge Deposit Account No. 01-2300, referring to client-matter number 107176-09004.

Respectfully submitted,

Charles M. Marmelstein Registration No. 25,895

Customer No. 004372 ARENT FOX PLLC 1050 Connecticut Avenue, N.W., Suite 400 Washington, D.C. 20036-5339

Tel: (202) 857-6000 Fax: (202) 638-4810



Attorney Docket No. 107176-09004 U.S. Patent Application No. 09/449,907 Filed: December 2, 1999

Applicants: SAKAMOTO et al.

Papers filed herewith on: July 19, 2005

The following papers are attached:

Status Inquiry

CMM:ksm

COMMISSIONER OF PATENTS



Auto-Reply Facsimile Transmission

TO:

Fax Sender at 202 857 6395

Fax Information

Date Received: Total Pages:

2/21/2006 4:34:02 PM [Eastern Standard Time]

2 (including cover page)

ADVISORY: This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMEP) section 306 et seg.

Received Cover Page =====>

Facsimile

739, 21, 2006 4:88FM

30, 7048 P. 1/2

Arent Fox ATTORNEYS AT LAW

Charles M. Marmelstein

Date:

February 21, 2006

Pages (including cover):

Attorney #:

ARENO FOX DOS

Client/Matter #:

107176-09004

PLEASE DELIVER TO:

Name/Company

U.S. Patent and Trademark Office

Fax# 571-273-8300 Verity #

MESSAGE/INSTRUCTIONS

Change of Correspondence Address

U.S. Patent Appla. S.N. 09/449,907
For: POLISHING CLOTH FOR CHEMICAL MECHANICAL POLISHING, AND CHEMICAL MECHANICAL

POLISHING APPARATUS USING SAID CLOTH
By: Tatsuya SAKAMOTO et al
Our Ref: 107176-09004

CERTIFICATE OF TRANSMISSION

I hereby certify that the attached Change of Correspondence Address is being transmitted by facsimile to the U.S. Patent and Trademark Office, facsimile number 571-273-8300 on this date of my signature.

Valestine Martina M. Galentine

February 21, 2006 (Date)

PLEASE CALL OUR FAX OPERATOR AS SOON AS POSSIBLE IF TRANSMISSION IS NOT COMPLETE; 202.857.8119

This lactivitie contains privileged and confidential information intended only for the use of the addressee(s) named above. If you are not the intended recipient of the factivitie, or the employee or agent responsible for delivering it to the intended recipient, you are hereby notified that any dissemination or copying of this factivitie is strictly prohibited. If you have received this factivitie in error, please immediately notify us by telephone and return the original factivitie to us at the address below via the postal service. Thenk you.

PAGE 1/2* RCVD AT 2/71/2006 4/34:02 P/3 [Eastern Standard Time] * SVR:USPTO-EFXRF-640* CRIS:27/33000* CS:0.202 847 6395* DURATION (num-s):01-64

* * * COMMUNICATION RESULT REPORT (FEB. 21. 2006 4:34PM) * * *

TTI ARENT FOX DC5

FILE MODE

OPTION

ADDRESS (GROUP)

RESULT

PAGE

7048 MEMORY TX

1546#107176#09004#15712738300#

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2/2

E-2) BUSY E-4) NO FACSIMILE CONNECTION

Facsimile

Arent Fox

Charles M. Marmelstein

marmelstein.c@arentfox.com

202.857.6008 DIRECT 202.857.6395 FAX

Date:

February 21, 2006

Pages (including cover):

2

Attorney #:

1546

Client/Matter #:

107176-09004

PLEASE DELIVER TO:

Name/Company

Fax#

Verify #

U.S. Patent and Trademark Office

571-273-8300

MESSAGE/INSTRUCTIONS

Re: Change of Correspondence Address

U.S. Patent Appln. S.N. 09/449,907

For: POLISHING CLOTH FOR CHEMICAL MECHANICAL POLISHING, AND CHEMICAL MECHANICAL

POLISHING APPARATUS USING SAID CLOTH

Dave Totomas CAVANAOTO at al

Facsimile





Charles M. Marmelstein

marmelstein.c@arentfox.com

202.857.6008 DIRECT 202.857.6395 FAX

Date:

February 21, 2006

Pages (including cover):

Attorney #:

1546

Client/Matter #:

107176-09004

PLEASE DELIVER TO:

Name/Company

Fax #

Verify #

U.S. Patent and Trademark Office

571-273-8300

MESSAGE/INSTRUCTIONS

Re: Change of Correspondence Address

U.S. Patent Appln. S.N. 09/449,907

For: POLISHING CLOTH FOR CHEMICAL MECHANICAL

POLISHING, AND CHEMICAL MECHANICAL POLISHING APPARATUS USING SAID CLOTH

By: Tatsuya SAKAMOTO et al

Our Ref: 107176-09004

CERTIFICATE OF TRANSMISSION

I hereby certify that the attached Change of Correspondence Address is being transmitted by facsimile to the U.S. Patent and Trademark Office, facsimile number 571-273-8300 on this date of my signature.

Martina M. Galentine

February 21, 2006

(Date)

PLEASE CALL OUR FAX OPERATOR AS SOON AS POSSIBLE IF TRANSMISSION IS NOT COMPLETE: 202.857.6119

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Arent Fox PLLC WASHINGTON DC NEW YORK

PTO/SB/122 (04-05)

Approve use through 07/31/2006. OMB 0651-0035

U.S. Patent and Trademark since: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

CHANGE OF CORRESPONDENCE ADDRESS APPLICATION

Address to: Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450



Application Number	09/449,907
Filing Date	December 2, 1999
First Named Inventor	Tatsuya SAKAMOTO et al
Group Art Unit	3723
Examiner Name	D. Nguyen
Attorney Docket Number	107176-09004

Please change the Correspondence Address for the above-identified patent application to:									
\boxtimes	The address associated with Customer Number:		004372	2					
OR									
	Firm or AREN Individual Name	NT FOX F	PLLC						
Address	1050 Connecticut Avenu Suite 400	ue, N.W.							
City	Washington	State	D.C.		Zip 20026 5220				
Country	vvasinigion	<u> </u>	J.U.		20036-5339				
Telephone	202-857-6000		Email dcipdod	cket@arentfox	c.com				
This form cannot be used to change the data associated with a Customer Number. To change the data associated with an existing Customer Number use "Request for Customer Number Data Change" (PTO/SB/124).									
I am the:									
	Applicant/Inventor.								
	Assignee of record of the entire interest. Statement under 37 C.F.R. 3.73(b) is enclosed (Form PTO/SB/96).								
\boxtimes	Attorney or agent of record. Registration Number: 25,895.								
	Registered practitioner named in the application transmittal letter in an application without an executed oath or declaration. See 37 C.F.R. 1.33(a)(1). Registration Number:								
Signature	Che Alton								
Typed or Printed Name	Charles M. Marmelstei	n							
Date	February 21, 2006		Telephone	202-857-60	000				
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representatives(s) are required. Submit multiple forms if more than one signature is required, see below*.									
Total of 1	form(s) are submitted.								

This collection of information is required by 37 C.F.R. §1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. §122 and 37 C.F.R. §1.11 and §1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.